

Assembly Bill 216

~Community Service Work Flexibility~

Testimony before the Senate Committee on
Judiciary, Corrections, and Housing
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On behalf of:

Todd Nehls
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Good Afternoon _____

Introduce DJA Hill, Programs Specialist Chris Myers.

The Sheriff is out of State at this time and sends his apologies for being unable to attend today.

We are here to speak in support of AB216: asking that you consider introducing it for a Senate vote

AB 216 is Sheriff Nehls effort to recognize the Sheriff's in the statutes and their ability to grant good time for our own community service programs. This legislation will allow Sheriff's that have developed their own inmate work programs to grant good time based upon the inmates work performance and the nature of the work.

Currently the statute only recognizes the one day for three days work when the community service is part of the court sentence by a judge. This will give Sheriff's more flexibility and recognize our own community service programs.

In Dodge County through our classification program we strive to identify inmates work skills. We believe the Sheriff's should have the authority to provide the compensation to the skill level of the inmate labor. For example: A union contractor / carpenter serving time in Dodge Co., 3 counties from his home / work area, unable to work at his full-time employment, would be a skilled inmate labor to provide the citizens of Dodge County quality labor at a much higher level than an inmate comparable cleaning dishes in the Jail kitchen.

This bill would allow the Sheriff's to award credit time proportional to the quality and type of community work provided.

There are several **Benefits** that are not immediately understood tangibly when one thinks of a Jail Community Service Work Program, I can speak of personally for you.

A **benefit** to the county the Sheriff's serve would be immediate production of a motivated group of inmate labor workers for the Sheriffs' to pool from when communities are in need. Such as recent Emergency management disaster relief efforts within Dodge county: For example: clean up assistance after the tornado in the city of Waupun, flood relief assistance in the village of Randolph.

A **benefit** that we have experience in Dodge County that we were pleasantly surprised with was the number of inmates that have worked while incarcerated and have returned to their community service jobs, as volunteers, For example: at Bethesda, or the Humane Society. As well as gaining networking with employers within their communities that they did not have opportunities for prior. We have had instances that several inmates once released became employed from these contacts.

Incentive benefits have also been developed as a by product while in these programs to maintain good behavior while incarcerated and have encouraged inmates once thought to be inmates that always mis-behave in jail to become not only compliant with the jail rules but have developed into the afore mentioned inmates that have become community minded volunteers.

The **benefits** to many smaller County jails would assist in the reduction of housing costs and a better alternative to assist with constant overcrowding, by giving both the inmate and the communities a **valuable asset** rather than simply reducing the inmate's sentence, or placing them on house arrest because of constant overcrowding. Neither of which gives credence to the judicial system or provides an incentive to the inmate for true change.

The Dodge County Community Service Work Crew has maintained a garden for the Jail, a green house, a car wash for county vehicles, we have painted city buildings, provided inmate labor for civic groups and community organizations. The inmate man-hours are in the thousands.

In Closing:

Benefit to inmates

- Provide work, incentives to work community service while fulfill their court ordered sentence with a reduction in time. Developing employment potential and experience.

Benefit to Community

- Quality labor to assist with projects and reduce cost for the participating communities.

Benefit to Sheriffs

- Offer assistance to communities to help reduce overcrowding, and promote compliance with jail rules.

We would ask that you consider introducing AB216 for a Senate vote.

Thank you.

*Dodge County Sheriff's Department
Community Service
Work Crew
Report*

July, 2007



The Dodge County Sheriff's Inmate Labor Work Crew Program began in 2003. The program was designed to relieve the jail of the overcrowded Huber population by allowing convicted individuals an opportunity to perform supervised community service work and, in return, reduce their sentence.

Wisconsin State Statute 973.03(3)(a)

973.03(3)(a) indicates the authority the Sheriff has for Huber release for inmate labor work crew (community service).

973.03(3)(a) If a court sentences a defendant to imprisonment in the county jail, the court may provide that the defendant perform community service work under pars.(b) and (c). The defendant earns good time at a rate of one day for each 3 days of work performed. A day of work equals 8 hours of work performed.

The Statute restricts the Sheriff from awarding good time at any rate other than what is currently specified. Consequently, all work completed and all job sites are treated exactly the same even though huge differences exist within these sites and the individual inmates. The Sheriff or his designee should have the authority to grant good time through a work crew program at a rate from 8 hours to 24 hours of work equaling 1 day of sentence credit.

Work Crew is different than a community service sentence in the following way:

The Work Crew is a program to reduce jail days by doing community service work. A community service sentence usually is in conjunction to a monetary fine and the Court has given a certain number of community service hours. Community service is monitored by the Courts, not the Sheriff's Department.

COOPERATION

The Judges of Dodge County, and the Department of Corrections are in favor of the Work Crew. A Probation Officer may utilize the Work Crew Program if they want to sanction a client for a violation such as failure to report or failure to maintain employment.

INMATES

Participating inmates in the Work Crew Program fall into 3 categories: inmates sentenced with Huber privileges, inmates on probation, or inmates sentenced to fines and costs which they are unable to pay. Currently, a Work Crew inmate must work 3 eight-hour shifts (per statute) in order to earn 1 day off their sentence. If an inmate is sentenced to 60 days, he/she will automatically receive 15 days good time, leaving 45 days to serve in jail. If the inmate works 30 eight-hour days, he/she will earn 10 days credit, getting out of jail in 35 days.

A Work Crew participant is required to sign a Work Crew contract, which they agree to fulfill and abide by the rules of the program. By signing the Work Crew contract they agree that if they violate any of the Work Crew rules, any portion of the time they have accumulated will not be credited, and they will be fired from the Work Crew.

PROBATIONERS

People on probation who violate the conditions of their probation may be sanctioned by the Department of Corrections Probation Office to be sanctioned to the Work Crew. The Probation Officer may require the client to work a set number of days on the Work Crew instead of placing that client in jail for the violation. Per state statute, probation inmates do not earn good time. In this example, a Probation Officer could sanction a probationer to 5 days on the Work Crew, which would then save the cost of housing that inmate in the Dodge County Jail for 5 days, at a cost of \$60 per day. Probation participants who violate the rules of the Work Crew program will be booked into the jail and potentially face further sanctions from their Probation officer.

Work Sites

Pages are included at the end of this document showing the work sites for 2006 and the hours of work performed at each site.

Disaster Relief Assistance

In the month of June 2004 the Dodge County Sheriff's Department assisted in the cleanup of 4 catastrophic events within the county.

On 6/7/04 we placed inmates at a cleanup site on Highway 60, of an overturned semi, for a total of 44 hours worked by 11 inmates.

The week of 6/13/04 we placed inmates in the City of Randolph to assist in the cleanup after the city was flooded. A total of 15 inmates were placed in Randolph to assist the first week, and at the beginning of the second week 6 inmates were placed, for an approximate total of 630 hours.

On 6/13/04 the City of Beaver Dam asked for assistance with sandbagging for flooding in the city. We placed 24 inmates in the City of Beaver Dam to sandbag, for a total of 72 hours.

On 6/24/04 through June 29, 2004 the Dodge County Sheriff's Department placed a total of 24 inmates in the City of Waupun, for a total of 896 hours to assist in the cleanup after the city had been severely damaged by a tornado. An average of 17 inmates per day and an average of 179 hours per day worked.

This is just a small example of the community service the work crew provides. All sites must be non-profit and located within Dodge County. We request that each site provide transportation to and from the work area, and that a supervisor be designated for the inmate(s). The jail provides sack lunches when appropriate.

Savings

In our first year, 2003, we saved 420 jail days (actual days not served in the jail due to work completed), with a total of 46 inmate participants, working at 15 work sites. Statistically, it costs Dodge County approximately \$60 a day to house an inmate. Saving 420 days of jail equaled \$25,200.00 not spent in jail housing costs.

In our second year, 2004, we saved 594 jail days, with a total of 97 inmate participants, working at 19 work sites. This equates to \$35,640.00 not spent in jail housing costs.

In our third year, 2005, we saved 380 jail days, with a total of 56 inmates participants, working at 20 work sites. Savings for the year totaled \$24,360.00.

2006 saw an increase in worksites to 24. The total days saved for the jail was calculated at 374 equaling a savings of \$22,440.00.

Thus far in 2007 we have provided work at 24 job sites and completed 323 credit days. This equates to a savings of \$19,380.00